

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JEFF J. S.,

Plaintiff,

v.

**8:23-CV-1576
(FJS/PJE)**

**CAROLYN W. COLVIN, Acting Commissioner of
Social Security,**

Defendant.

APPEARANCES

OF COUNSEL

**HILLER COMERFORD INJURY &
DISABILITY LAW**

6000 North Bailey Avenue, Suite 1a
Amherst, New York 14226
Attorneys for Plaintiff

**IDA COMERFORD, ESQ.
JUSTIN M. GOLDSTEIN, ESQ.**

SOCIAL SECURITY ADMINISTRATION

6401 Security Boulevard
Baltimore, Maryland 21235
Attorneys for Defendant

FERGUS J. KAISER, ESQ.

SCULLIN, Senior Judge

ORDER

Plaintiff brought this action pursuant to 42 U.S.C. § 405(g) seeking review of the Commissioner of Social Security's decision denying his application for supplemental security income benefits. *See* Dkt. No. 1. Plaintiff then moved for judgment on the pleadings, *see* Dkt. No. 8, and Defendant cross-moved for judgment on the pleadings, *see* Dkt. No. 10.

In a Report-Recommendation and Order dated December 11, 2024, Magistrate Judge Hummel recommended that the Court deny Plaintiff's motion for judgment on the pleadings,

grant Defendant's motion for judgment on the pleadings and affirm the Commissioner of Social Security's final decision. *See* Dkt. No. 12 at 17.

Neither party filed any written objections to Magistrate Judge Hummel's recommendations, and their time to do so has expired.

When a party does not object to a magistrate judge's report-recommendation, the Court reviews that report-recommendation for clear error or manifest injustice. *See Linares v. Mahanik*, No. 9:05-CV-625, 2009 WL 3165660, *10 (N.D.N.Y. July 16, 2009) (citation and footnote omitted). After conducting this review, "the Court may 'accept, reject, or modify, in whole or in part, the . . . recommendations made by the magistrate judge.'" *Id.* (quoting 28 U.S.C. § 636(b)(1)(C)).

The Court has reviewed Magistrate Judge Hummel's December 11, 2024 Report-Recommendation and Order for clear error and manifest injustice; and, finding none, the Court hereby

ORDERS that Magistrate Judge Hummel's December 11, 2024 Report-Recommendation and Order is **ACCEPTED in its entirety** for the reasons stated therein; and the Court further

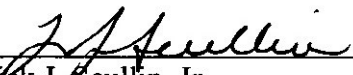
ORDERS that Plaintiff's motion for judgment on the pleadings, *see* Dkt. No. 8, is **DENIED**; and the Court further

ORDERS that Defendant's motion for judgment on the pleadings, *see* Dkt. No. 10, is **GRANTED**, and the Commissioner's final decision is **AFFIRMED**; and the Court further

ORDERS that the Clerk of the Court shall enter judgment in favor of Defendant and close this case.

IT IS SO ORDERED.

Dated: January 21, 2025
Syracuse, New York



Frederick J. Scullin, Jr.
Senior United States District Judge